



Attorney Docket No.: FUJA 16.140 (100794-11209)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Seiji MIYOSHI
Yutaka AWATA
Hiroyasu MURATA
Nobukazu KOIZUMI
Takashi SASAKI

Filed by Express Mail
(Receipt No. 2047858199845)
on 18 JAN 2005
pursuant to 37 C.F.R. 1.10.
by BSP

Serial No. : 09/318,445

Filed : May 25, 1999

Title : **DIGITAL SUBSCRIBER LINE COMMUNICATING SYSTEM**

Examiner : Pankaj Kumar

Group Art Unit : 2631

January 18, 2005

Mail Stop Petitions
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 CFR 1.313
REQUESTING
WITHDRAWAL FROM ISSUE

To the Commissioner for Patents:

A Notice of Allowance for the above-referenced patent application was mailed on September 20, 2004. Upon information and belief, Applicants' representative paid the associated issue fee by facsimile fee transmittal on November 24, 2004.

Upon information and belief, Applicants' representative received Applicants' instruction on December 28, 2004 to prepare an Information Disclosure Statement (IDS) for the above-referenced patent application and seven corresponding divisional applications, disclosing four

additional references that may be important in deciding whether to allow the application to issue as a patent.

Accordingly, Applicants submit the present petition together with a Request for Continued Examination (RCE) and an IDS disclosing the aforementioned references, and respectfully that the petition be granted to withdraw the present application from issue, in order that the references disclosed in the IDS be considered by the Examiner before the application is finally allowed.

The Commissioner is hereby authorized to charge the petition fee set forth in 37 C.F.R. § 1.17(h), as well as any other fee that may be due, on Deposit Account No. 50-1290.

Any inquiries regarding the current petition may be directed to Applicant's undersigned attorney of record, who may be reached directly by telephone at (212)940-8729.

Respectfully submitted,



Thomas J. Bean
Reg. No. 44,528
Attorney for Applicant

CUSTOMER NUMBER 026304

PHONE: (212) 940-8800/FAX: (212) 940-8776
Docket No.: FUJA 16.497 (100794-11306)